IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Revn. No. 1946 of 2004

DATE OF DECISION : 14.11.2006

Shanti Lal

.... PETITIONER

Versus

Satya Narain and another

..... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Sandeep Goyal, Advocate,
for the petitioner.

Mr. Naresh Kaushal, Advocate,
for respondent No.1.

Mr. M.S. Sidhu, DAG, Haryana.

* * *

Petitioner Shanti Lal, who is complainant in case FIR No. 473 dated 18.4.2003, under Sections 306/201 IPC, registered at Police Station NIT Faridabad, has filed this revision petition against the judgment dated 14.2.2004, passed by Additional Sessions Judge (I), Faridabad, whereby respondent No.1, the only accused in the case, has been acquitted of the charge framed against him.

2. The State of Haryana has not filed any appeal against the impugned judgment of acquittal.

3. I have heard counsel for the parties and perused the impugned judgment.

4. The case of the complainant is that respondent No.1 was running a school, in which the deceased daughter of the complainant was employed. On 16.4.2002, after reaching the school in the morning, she consumed celphos tablets and on the next day, she died. The allegation against the petitioner is that the petitioner was ill treating the deceased in some manner on account whereof she had consumed poison.

5. The trial court has come to the conclusion that Kailash Devi, mother of the deceased and wife of the complainant, has stated that the deceased used to tell her that the accused was harassing her and Kailash Devi had disclosed this to her son Rakesh only, but he has not been examined by the prosecution. It has been further held by the trial court that Kailash Devi, during her cross-examination has admitted that the accused had never visited her house. The trial court has also observed discrepancy in the statements of the complainant-petitioner, his wife Kailash Devi and the Investigating Officer, regarding presence of the complainant, his wife and son in Escort Hospital, Faridabad. Therefore, it has been held that there is no evidence worth the name to indicate even remotely that the suicide by Seema-daughter of the complainant was the result of abatement on the part of the accused-respondent No.1. Thus, by giving the benefit of doubt, respondent No.1 has been acquitted by the trial court.

6. After hearing the arguments of counsel for the parties, I do not find any illegality or infirmity in the impugned judgment. From the evidence available on record, in my opinion, no second view is possible. No ground for interference in the impugned judgment is made out.

7. Dismissed.

November 14, 2006 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**